



UNITED STATES ATTORNEY'S OFFICE

Southern District of New York

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MANHATTAN U.S. ATTORNEY CHARGES 12 MEMBERS AND ASSOCIATES OF LOS VAGOS GANG WITH MURDER CONSPIRACY, FIREARMS AND NARCOTICS OFFENSES

Twelve-Count Indictment Alleges Gang Operated as a RICO Enterprise

Preet Bharara, the United States Attorney for the Southern District of New York, James T. Hayes, Jr., the Special Agent-in-Charge of the New York Office of Immigration and Customs Enforcement's Homeland Security Investigations ("ICE HSI"), and Raymond W. Kelly, the Police Commissioner of the City of New York ("NYPD"), announced charges today against 12 members and associates of the Los Vagos gang, which operates in Manhattan and the Bronx, for crimes including murder conspiracy, assault, firearms offenses, and narcotics trafficking. The Indictment alleges that the gang operated as a Racketeer Influenced Corrupt Organization ("RICO") – a criminal enterprise – that sold narcotics and engaged in violence to protect and preserve its power, territory, and profits. Two defendants were previously in custody on federal charges, and the remaining 10 defendants were arrested this morning in a coordinated takedown.

Manhattan U.S. Attorney Preet Bharara said: "As alleged, these defendants were part of a dangerous and deadly criminal organization that used threats, intimidation and extreme violence to protect their turf. Today's charges are an important step forward in dismantling this ruthless gang and disrupting their reign of terror. Our campaign to rid the streets of New York of violent gangs and to return the neighborhoods they infest to their residents continues."

ICE HSI Special Agent-in-Charge James T. Hayes said: "The gang members we arrested today are career criminals, alleged murderers, drug dealers, and robbers who created a climate of fear in numerous communities throughout New York City. Their era of control is over."

NYPD Commissioner Raymond W. Kelly said: "These individuals used violence, including stabbings and shootings to carry out their criminal enterprise. Their behavior put innocent people at risk. I want to commend the NYPD's Gang Division, the Immigration and

Customs Enforcement agents, and prosecutors from the U.S Attorney's Office for working together to bring these violent gang members to justice."

According to the Indictment unsealed today in Manhattan federal court:

The Los Vagos Gang is a criminal organization primarily comprised of Mexican and Mexican-American members based in East Harlem and the Bronx. During the period of time charged in the Indictment, JUAN R. CLIMICO and JESUS MARTINEZ were two leaders of the gang and were responsible for calling gang meetings, overseeing gang initiations, and collecting dues from gang members and associates. Initiations, also referred to as "baptisms," involved gang members beating the prospective member. Dues collected from members were used to buy firearms for the gang and were sent to incarcerated members. Dues were also used to pay the expenses of deported gang members and to assist them with illegally reentering the United States. Los Vagos members marked their territory with graffiti, including "tags" that read, for example, "VGS" (short for "Vagos"), "VGS-116" (for "Vagos, 116th Street," in Manhattan), or "10 MDS" (for "10 Mandamientos," or "10 Commandments").

The Indictment alleges that the Los Vagos Gang was a racketeering enterprise, the purposes of which included: (a) enriching the members and associates of the enterprise through the distribution and sale of narcotics, including cocaine; (b) preserving and protecting the power, territory, and profits of the enterprise through murder, assault, robbery, and other acts of violence and threats of violence; (c) promoting and enhancing the enterprise and the activities of its members and associates; (d) keeping victims and potential victims in fear of the enterprise and its members and associates through acts and threats of violence; and (e) providing assistance to members and associates who committed crimes for, and on behalf of, the enterprise. Nine defendants – JUAN CLIMICO, JESUS MARTINEZ, FIDEL DEJESUS, ARTURO MEDINA-LOPEZ, RUDY MENDOZA, YASMIN OSUNA, MARCOS REYES, WILLIAM ROJAS, and LUISBI SANTOS – are charged with participating in the racketeering enterprise. Each of these defendants, except OSUNA, is also charged with using, carrying, discharging, brandishing, and possessing firearms.

As outlined in the Indictment, Los Vagos members committed acts of violence, including beatings, stabbings, and shootings, to protect their members from rival gangs, including the Latin Kings, and to dissuade rival gangs from encroaching on their territory. The gang also extorted or robbed individuals who lived or worked in their territory. Los Vagos' extortion and robbery victims included people who controlled brothels in the area as well as individuals who were not engaged in criminal activity. CLIMICO, DEJESUS, and JESUS MARTINEZ are charged with conspiring to murder and conspiring to assault members of the Latin Kings, and DEJESUS is charged with the attempted murder of a member of the Latin Kings and the assault of another individual.

In addition, CLIMICO, JESUS MARTINEZ, RUBI MARTINEZ, MENDOZA, OSUNA, REYES, SANTOS, MARCO CRUZ, and JORGE LEYVA are charged with conspiring to distribute narcotics. CRUZ is also charged with possessing a firearm as an illegal alien, and RUBI MARTINEZ is charged with providing a firearm to criminal associates, who were not members of Los Vagos, but who used the firearm in a shooting on August 25, 2011.

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CLIMICO, JESUS MARTINEZ, DEJESUS, MEDINA-LOPEZ, OSUNA, REYES, ROJAS, SANTOS, LEYVA, and RUBI MARTINEZ were arrested today and will be presented in Manhattan federal court later this afternoon. MENDOZA was previously charged with robbery conspiracy, narcotics trafficking and firearms offenses in U.S. v. Gaspar Vallejo, Sr. and is currently in federal custody. CRUZ was previously arrested on a Complaint that charged him with possessing a firearm as an illegal alien (Count 11 of today's Indictment) and is currently in federal custody. A chart identifying each defendant, the charges and the maximum penalties is attached to this release.

The case is assigned to U.S. District Judge Colleen McMahon.

Today's charges are the result of a year-long investigation conducted by federal and local law enforcement officers working with the United States Attorney's Office in the Southern District of New York. The investigation involved the use of a confidential informant, firearms seizures, and wiretap interceptions spanning a nine-month period. Mr. BHARARA praised the outstanding work of ICE HSI and the NYPD in the investigation, which he noted is continuing.

Assistant U.S. Attorneys AMIE N. ELY, AMY LESTER, and ANDREA SURRATT are in charge of the prosecution, which is being handled by the Office's Violent Crimes Unit.

The charges contained in the Indictment are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

United States v. Juan Climico, et al.

Count	Charge	Defendants	Maximum Penalties
1	RICO Conspiracy	JUAN R. CLIMICO FIDEL DEJESUS JESUS MARTINEZ ARTURO MEDINA-LOPEZ RUDY MENDOZA YASMIN OSUNA MARCOS REYES WILLIAM ROJAS LUISBI SANTOS	20 years in prison
2	Conspiracy to Murder in Aid of Racketeering	JUAN R. CLIMICO FIDEL DEJESUS JESUS MARTINEZ	10 years in prison
3	Conspiracy to Assault in Aid of Racketeering	JUAN R. CLIMICO FIDEL DEJESUS JESUS MARTINEZ	3 years in prison
4	Attempted Murder in Aid of Racketeering	FIDEL DEJESUS	10 years in prison
5	Assault in Aid of Racketeering	FIDEL DEJESUS	20 years in prison
6	Narcotics Trafficking	JUAN R. CLIMICO MARCO CRUZ JORGE LEYVA JESUS MARTINEZ RUBI MARTINEZ RUDY MENDOZA YASMIN OSUNA MARCOS REYES LUISBI SANTOS	20 years in prison
7	Using, Carrying, Possessing, Brandishing, and Discharging Firearms During and in Relation Violent Crime in Aid of Racketeering (Counts 2 through 5)	JUAN R. CLIMICO FIDEL DEJESUS JESUS MARTINEZ	Life in prison

8	Using, Carrying, Possessing, Brandishing, and Discharging Firearms During and in Relation to the RICO Conspiracy	JUAN R. CLIMICO FIDEL DEJESUS JESUS MARTINEZ	Life in prison
9	Using, Carrying, Possessing, Brandishing, and Discharging Firearms During and in Relation to the RICO Conspiracy	RUDY MENDOZA	Life in prison
10	Using, Carrying, Possessing, Brandishing, and Discharging Firearms During and in Relation to the RICO Conspiracy	ARTURO MEDINA-LOPEZ MARCOS REYES WILLIAM ROJAS LUISBI SANTOS	Life in prison
11	Illegal Alien in Possession of a Firearm	MARCO CRUZ	10 years in prison
12	Transferring a Firearm, Knowing that Such Firearm Would be Used to Commit a Crime of Violence	RUBI MARTINEZ	10 years in prison

Defendant	Residence	Age
JUAN R. CLIMICO	New York, New York	25
MARCO CRUZ	Bronx, New York	33
FIDEL DEJESUS	New York, New York	21
JORGE LEYVA	Bronx, New York	unknown
JESUS MARTINEZ	New York, New York	20
RUBI MARTINEZ	New York, New York	21
ARTURO MEDINA-LOPEZ	New York, New York	22
RUDY MENDOZA	Bronx, New York	26
YASMIN OSUNA	New York, New York	25
MARCOS REYES	New York, New York	29
WILLIAM ROJAS	New York, New York	18
LUISBI SANTOS	New York, New York	20